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DECEMBER MEETING, 1889.

THE regular monthly meeting was held on Thursday, the 12th instant, at three o'clock P. M.; the President, Dr. GEORGE E. ELLIS, in the chair.

The Recording Secretary read the records of the November meeting and of the special meeting held on the 3d instant; which were approved.

The Librarian read the list of donors to the Library for the last month.

The Corresponding Secretary reported that he had received a letter of acceptance from the Hon. Henry S. Nourse, elected a member at the November meeting.

The PRESIDENT then spoke as follows of the deaths of two members which had occurred since the last stated meeting:

We have again to introduce our meeting with a note of sadness, in recognizing the recent decease of two highly honored and valued associates, — Robert Bennett Forbes, Esq., and Gen. Francis Winthrop Palfrey.

Venerable in years, and long regarded in this and in a broader community as a typical example and authority in all the interests of a world-wide commerce, alike in earlier and in recent enterprises, east and west, the death of Mr. Forbes, on November 23, called out many and earnest and grateful expressions of the high regard in which he had been held among us. To the mercantile brotherhood he stood for all that is honored and noble in enterprise, integrity, and pure success as a navigator — skilled in his art, in the improvement of models, rig, and steering — and as a merchant prince; to all others he was known by many publications from his pen, his generous public spirit, his broad and hearty philanthropy, his lofty patriotism, and his simple virtues and benevolent heart.

General Palfrey, bearing an honored historical name, gathered to it the laurels of heroic patriotic service on the fields of our civil war. He was heroic, too, in the patient endurance of invalidism and the battle for life against the wounds he had

received in his campaign. Giving his young manhood and his professional prospects in the law to the call of his country, he afterward proved, by valuable historic papers contributed to this Society, what more he would have done for us, and how he would have deepened and extended the love and regard in which he was held, had that life been lengthened in health and strength, which closed at Cannes, France, December 5.

The Council ask the Society to place upon its records this expression of its tribute of respect to these two associates, each of them so faithful in his own use of life and ability.

The Hon. LEVERETT SALTONSTALL said:—

No one in private life was ever better known at home and abroad than Captain Forbes. His “Reminiscences,” printed by himself for private distribution, have opened to us his life in the most attractive manner from his earliest childhood. And no one surely ever experienced more of adventure in childhood than he. His early voyages; his rapid advance from sailor before the mast to mate and captain; his life as a merchant residing in China and at home; his successes and his failures, bringing with them neither undue elation nor depression,—all are simply told, as I have many a time heard him narrate them in his charming manner, with winning smile and musical voice; so that there remains little to add except the tribute which any and all his warm friends would pay to his memory.

Thirty-five years ago I became acquainted with Mr. Forbes, and was for some days his guest. From that time, for twenty years and more, I saw much of him. For some years he occupied an office adjoining mine, and talked frequently and freely about himself and his experiences.

He was an admirable type of the kind of man which the early half of this century produced here, but which, alas! has ceased to exist with the opportunity which we have cast away for producing it. I refer to the merchants who began life by *going to sea*. And what noble men they were! Intelligent, generous, patriotic, they were at all times ready to lend a helping hand to every deserving charity, and often became founders of some of our most useful and admirable institu-

tions. All of them who are left are now old men, and there are none to take their places. They have disappeared with our ships. No longer can our boys who are not students, and who like no better to be caged in shops or factories, take to themselves wings, and sailing on foreign voyages, subjected to wholesome discipline, thus learn to be brave, intelligent men of the world.

Mr. Forbes was a *brave* man; no other would have jumped from the "Europa" in a dense fog in mid-ocean, before a boat could be lowered, to save the poor wretches who were shrieking for help and sinking around him.

A generous, noble-hearted man, no other would have organized the scheme for relieving starving Ireland, and have volunteered his services to command the "Jamestown," with her precious freight of food for that unfortunate people; no other would have devoted time and money to the establishment of the Sailors' Snug Harbor and the Sailors' Home, and to the life-saving service of the Massachusetts Humane Society.

He was noted for his industry, and was always busy about something. For amusement at home, during his later years, he built pretty models of ships and boats which he gave the sons of his many friends. He was very fond of the society of young people, and had a rare faculty of amusing them. He was almost as ardent a lover of a fine horse as of a boat, and a bold rider, exciting the wonder and admiration of even the English riders at Pau, when he was sixty-five.

Captain Forbes was fond of a good joke, and had a fund of humor, when I first knew him, which made him very attractive; but he never could tolerate anything that bordered on profanity or even coarseness.

His keen appreciation of everything that was courageous and manly among seamen was perhaps his chief characteristic, and he will be remembered as the sailors' friend.

Mr. JOHN C. ROPES spoke in substance as follows:—

General Palfrey was a man so well equipped for the work of life that we have, and cannot help having, much the same feeling about him, on hearing of his death, that we have when a young man dies. There was so much that he would have

done, had his health and strength permitted. He possessed capacity of a high order, a strong purpose to make the most out of life, and untiring industry; but these great qualities availed little against the persistent attacks of disease.

He was a man who always took life seriously; his ideal was high. His plan of life was carefully made; its execution was entered upon with a deliberate and persistent energy that was certain to attain satisfactory results.

I knew him first during the war. His duties as Lieutenant-Colonel of the Twentieth Massachusetts Volunteers were most faithfully performed. He never spared himself. His thoroughness in mastering the details of the service; his determination to have the regiment everything that a regiment from Massachusetts ought to be, in drill, in discipline, and in conduct, in the camp and in action; his loyalty to the gallant veteran who commanded it; his exact justice toward the officers and men of his command; his bravery in action, — constitute his claim as a soldier to the gratitude of his fellow-citizens.

But here fortune was against him. Struck down and permanently disabled after a year of service, he had no opportunity to win the distinction that might have awaited him had his career been prolonged.

His life after the war was a constant struggle against pain and weakness. It was a steady and most gallant fight; his constant purpose being to do the work for which he felt himself fitted, and the doing of which he therefore felt must be his appointed task in the world. For General Palfrey was a most conscientious man; earnestly desirous to ascertain the proper field of duty, he was equally decided and persistent in the doing of the work. Unfortunately he was so much hampered by his health that he was able to accomplish but little. But his writings, though few, were of the best of their class. His brief memoir of Major Henry Livermore Abbott, of his own regiment, who was killed in the battle of the Wilderness, is an admirable piece of work. A more difficult task, the Life of Brevet Major-General William F. Bartlett, was welcomed by the public as one of the most interesting and notable biographies that the war gave to us. His contribution to the Scribner series of the Campaigns of the Civil War, the volume on the Antietam and Fredericksburg, was carefully, impartially, and vigorously written, and is an authority on that

period of the war. His paper in "The Memorial History of Boston" is a valuable summary of the work of Boston in the civil war.

General Palfrey's methods of thought, speech, and action were perhaps somewhat formal, somewhat conventional; but every one knows the strong attachment which he inspired among his friends, and the absolute confidence which was everywhere reposed in him. The soldiers of his regiment could always go to him and be sure of a kindly and careful hearing of their grievances, or a considerate and generous attention to their wants. The officers under him confided in his equal and exact justice. His friends knew no friend more loyal, more unwavering, more devoted.

Mr. CHARLES F. ADAMS then said: —

I should not feel warranted, Mr. President, in adding to what Mr. Ropes has said, were it not that I am one of the few members of this Society who, in common with General Palfrey, took a soldier's part in the War of the Rebellion. Were my friend General Devens here, it would, I feel, be eminently proper that he should say something. In his absence, I do not think it can be otherwise than proper for me to undertake to do that which he would have done so much more happily.

I do not remember the time in my life when I did not know Frank Palfrey. His father and mine were always closely associated, and, before I was born, warm personal friends; and so Frank and I knew each other as boys, though he was somewhat older than I. Subsequently, just after he had taken his degree at Harvard, at my own request I was taken from the school where I then was, and put under his charge to be fitted for college. For two years I was thus in almost daily contact with him in the most intimate way; the memory of the summer mornings in which we read Greek together at his room in Cambridge is, indeed, still very fresh with me, and I seem to smell the fragrance of the blossoms as it was wafted in through the open windows, mixed with the hum of the insects and the sound of the distant college bells. Those days were early in the fifties, when Franklin Pierce was Consul, I being still a boy and Palfrey hardly a man, — days

pleasant to recall. Later on, from 1856 to 1861, we were young men together in society, and incipient practitioners of the law, during that period which might not inappropriately be described, so far as he and I and our friends were concerned, as the golden period of a golden youth. Then came the War of the Rebellion; and he took a commission in the Twentieth Massachusetts Infantry, while, a few months later, I accepted one in the First Cavalry. I remember meeting him in the army but once, in September, 1862, when the army of the Potomac was on its march to the dread field of Antietam. One afternoon as we were toiling along the dusty road which led for so many of those who then travelled it to a soldier's grave, I came across a regiment resting in bivouac, which I recognized as the Twentieth Massachusetts. I looked for Palfrey, and soon found him sitting on the hillside, engaged, if I remember aright, in writing a letter. I dismounted and, after an exchange of warm greetings, sat with him on the grass until my duties called me away, while we recounted to each other our experiences, and discussed the chances of the campaign and of the impending battle. The next I heard of him he had been grievously wounded in the fight of Sedgwick's division; nor do I believe he ever again knew what it was to enjoy a physically painless day.

I hardly remember again meeting Palfrey until the war was over. He had then resumed life as best he could, manfully taking up the life-long burden imposed upon him by a shattered arm. For years after, he and I constantly met as members of a little association of officers who had seen service in the Rebellion, and whose custom it was to dine together periodically every winter; and it is a curious fact in connection with that club, consisting as it did of some twenty men now no longer young, many of whom had been grievously wounded in battle or their constitutions broken by campaign exposure,—it is a curious fact, I say, that of those men who have thus dined together for more than twenty years, Palfrey is the first who has died a natural death.

It seems to me unnecessary to add to what Mr. Ropes has said in his delineation of General Palfrey's character. I endorse it all. Nevertheless, there is one point, somewhat perhaps in the nature of a limitation, to which I think it not out of place to allude. Mr. Ropes referred to General Palfrey more than

once as a "formal man." I think he might more properly have been described as a man whose ways were studied, — a man who was, though in no offensive sense of the term, artificial in externals. That he had a kindly and loyal nature, no one who knew him well could ever doubt. There was in him no taint of treachery or malignancy. A man of decided ability, his ability found expression in a peculiar way, — a way which it seems to me was more in vogue forty years ago than now, — with great facility for acquiring, he modelled himself upon others. Mr. Ropes has referred to the way in which he would labor to perfect himself in whatever he took hold of. It seemed to make little difference whether it was a thing worth doing or not worth doing, he would work with the same untiring zeal to acquire proficiency in it; and he generally succeeded in so doing. His proficiency, nevertheless, was apt to impress those about him with a sense of artificiality, — as lacking, so to speak, the true ring. He was, in a word, seldom satisfied with being simply himself. I have alluded to this, not only as throwing a light on that "formal manner" which Mr. Ropes has mentioned, but because, as it seems to me, it oftentimes prevented General Palfrey from being estimated at his true worth. People were apt to take note of his foibles and artificial modes of expression, and disregard his better, more kindly, and more genuine self.

I have but one word more to say. Palfrey's name should, I submit, be inscribed with those others on the marble tablets that stand in the entrance to Harvard's Memorial Hall, — it should be writ on the roll of honor in our Battle Abbey as the name of one of those sons of the College who died for their country in the great civil war. He received the wound which sapped away his life, and which, through long years of suffering, slowly but surely brought him to his death-bed there at Cannes, — he received that wound in September, 1862, now twenty-seven years ago; but his death, at the end of all those years, was due to that wound no less than if he had died a few days later in the hospital, after falling, as he fell, at Antietam, in the advance of Sumner's corps. His name should be inscribed on the immortal tablets of Memorial Hall no less than the names of those who fell by his side, and died then instead of now. He did not the less die from the effects of

the wound received that day in fiercest battle because his death was lengthened out through seven-and-twenty years of suffering.

Dr. SAMUEL A. GREEN, a classmate at college of General Palfrey and Professor Allen, said : —

I remember, Mr. President, many years ago, when a distinguished associate of this Society, in paying a tribute here to the memory of a classmate, said that those of our contemporaries whom we call by their first names, and who call us by ours, are growing rapidly less and less in numbers as the years roll by. I appreciate the truth of this remark, and I feel now its full force. Within the past week Frank Palfrey and Bill Allen, both members of this Society, have been taken away. For more than forty years I have known them well, and have never addressed either of them otherwise than by his familiar nickname, although of late my intercourse with them, owing to various causes, has been but slight. They belonged to the Class of 1851 at Harvard, which, though small, has given eight members to the Historical Society. A singular and unusual mortality has just befallen this class, as three of its cherished members have died in distant and widely separated places, and all within the space of a short month, — first, Rhett, at Charleston, on November 12; then Palfrey, at Cannes, France, on December 5; and lastly, Allen, at Madison, on December 9.

“Insatiate archer! could not one suffice ?

Thy shaft flew thrice; and thrice my peace was slain.”

Francis Winthrop Palfrey entered college as the first scholar of his class, coming from the Boston Latin School, and throughout his college course maintained high rank, graduating with distinguished honors. Immediately after leaving college he entered the Law School, where he subsequently took the degree of Bachelor of Laws; and later he began the practice of his profession in Boston. Well grounded in the rudiments of his studies, he gave every promise of success at the bar. Soon, however, the great Rebellion broke out, and, like thousands of other young men at that period, appreciating their duties and their responsibilities, without hesitation Palfrey offered his

services to the government, which were readily accepted. Commissioned as Lieutenant-Colonel of the Twentieth Massachusetts Volunteers in the summer of 1861, he left the State with his regiment, which very soon afterward was engaged in the battle of Ball's Bluff. During the campaign of the next year this regiment saw a great deal of hard service, and was engaged in many severe battles. In some of these actions Palfrey was in command, and in more than one of them was wounded. At Antietam his shoulder was badly shattered, making a wound which was ultimately the cause of his death. Promoted to the Colonelcy, he was soon obliged to resign from the military service on account of his disabilities; and later he was brevetted a Brigadier-General. At intervals his old wound continued to trouble him, and I remember his saying to me in these rooms that he wished he had the same buoyancy of feeling and the same elasticity of spirit which once belonged to him, and that then he would do something worthy of his membership. His pen, however, was not idle, as he is the author of an excellent memoir of his comrade General Bartlett, and various other publications relating to the war. Just before sailing for Europe, a few weeks ago, General Palfrey had put the finishing touches on Volume V. of his father's "History of New England," which had been left in manuscript by the writer, but which still required some revision.

William Francis Allen, of Madison, Wisconsin, was chosen a Corresponding Member of this Society on Feb. 9, 1882. He was a native of Northborough, where he was born on Sept. 5, 1830, and a son of the Unitarian minister of that town. Soon after graduation he became engaged in teaching, which has since been his vocation. Many years ago Allen accepted a professorship in the University of Wisconsin, where he soon took a position among the foremost educators of the Northwest. He is the author of several text-books which have had a wide circulation, and was one of the compilers of a volume entitled "Slave Songs of the United States."

Mr. HENRY W. HAYNES then spoke as follows:—

Mr. President,—After the appreciative tributes already paid to the memory of our late associate, General Palfrey, I will occupy the time of the Society only a few moments longer.

But I cannot forget that I have had the privilege of his acquaintance and of his friendship for even a longer period than Mr. Adams. When I entered the Boston Latin School in 1842, I found him in the class above me, — a bright active boy, with a love of study, a quickness of intelligence, a remarkable memory, and an ambition to excel which soon gave him a very high rank in his class. I believe he knew the Latin and Greek grammars by heart; and when he graduated from the school with a Franklin Medal, he delivered an oration in Latin upon “Cicero as an Orator.” Notwithstanding this thoroughness of classical training, he concluded to spend a year longer under private tuition, before entering Harvard College, with the class of 1847. His college career was a very creditable one, and his general scholarship excellent. That early fondness for the ancient classics was strengthened, and manifested itself in the choice of subjects for his Exhibition and Commencement performances, — the former, a Latin oration “De rebus navalibus antiquorum”; the latter, one in English upon the “Orations in the Ancient Historians.” If it be true, as Mr. Ropes has told us, that he was inclined to form himself upon a model, it must at least be acknowledged that he always sought for the best models. I think that the lucidity, purity, and strength which marked his English style may be clearly traced to his early love and constant study of the ancient classics. But although he was a good scholar in college, he was by no means merely the scholar. He was the life and soul of our social gatherings, and his quick wit and ready speech made him always sought for, then and afterward, together with our associate here, Mr. Augustus T. Perkins, as the presiding officer of our class suppers and other meetings.

I will not linger upon Palfrey’s subsequent life up to the time of the breaking out of the civil war, when his real character first shone forth. Among the “golden youth” who sprung to their country’s defence, none had stronger attractions to a life of ease, or brighter prospects of success in his chosen profession. But with him, “Vincit amor patriæ, laudumque immensa cupido.” For Palfrey was actuated alike by both sentiments; he loved his country, and he was ambitious of glory, — a noble, honorable ambition, which asked for only what he had deserved.

His arm was saved upon the battle-field of Antietam. I

think, Mr. President, his friends have been sometimes compelled to feel that it might have been better if it never had been saved; for all his after life was made one prolonged martyrdom to suffering. I remember meeting him upon the Common on a bright summer morning, and asking if the fine weather had not some effect in diminishing his neuralgic pains; and his reply, that he was always in pain, and it was only a question of more or less. The patience and cheerfulness with which this was borne has been a lesson to us all. Truly was he called upon to drain deep the bitter cup of affliction; but this had a most elevating and purifying influence upon his character, in preparing him for the better life to which we believe that he has passed; and we feel that he has, —

“Though doomed to go in company with Pain
And Fear and Bloodshed, miserable train,
Turned his necessity to glorious gain.”

Our late Corresponding Member, Prof. William Francis Allen (my college classmate also), came of a long line of scholars and teachers. In college his work was mainly in the classics, and after graduation he went to Europe in company with our associate, Prof. William W. Goodwin, to continue those studies at the universities of Heidelberg and Berlin. The two friends afterward travelled in Greece and Italy; investigated together the topography of ancient Athens and Rome, occupying an apartment which looked down upon the Roman Forum; and together visited many storied scenes, among them the battle-field of Lake Trasimenus. One of the first fruits of these foreign studies was a striking article, contributed to the “North American Review” by the two friends, upon the then recently published “Dictionary of Greek and Roman Geography,” edited by Dr. William Smith. In this I recollect they took occasion to correct a fault to which English scholars are somewhat prone, of attributing to their own countrymen conclusions or discoveries which properly belong to learned men of other nationalities. There had been ascribed to Canon Wordsworth, in particular, whose beautiful work upon Greece was deservedly very popular, the identification of a certain locality in Athens which they showed had been made known to the world some years before by Forchhammer.

Professor Allen's life-work has been mainly that of a teacher of the ancient languages and of history; but during the war he cheerfully gave his services to the Sanitary Commission, both in South Carolina and at Helena, Arkansas. One of the results of the year spent by him on a plantation at Port Royal was the "Slave Songs of the United States," which his musical taste especially qualified him to appreciate, and which was mainly his work. Since 1867 he has been a hard-working and most successful professor at the University of Wisconsin, finding time to prepare several excellent text-books, both in the ancient languages and in history, as well as to be a constant and versatile contributor to the New York "Nation." I recollect also that he read at a meeting of the American Philological Association a learned essay upon the "Battle of the Mons Graupius," the seed whence sprung his admirable students' edition of the *Agricola* and *Germania* of Tacitus. His grammatical and other text-books, in Latin, prepared in conjunction with his brother, Mr. Joseph H. Allen, are so well known and approved as scarcely to require mention.

Too severe application, however, to his professional duties had somewhat impaired his health, so that he had it in contemplation, as his last letter informed me, to seek relaxation in a year of travel in Europe. But with his usual conscientious devotion to duty, he asked for suggestions and references for the study of the Prehistoric Times of Italy, in his judgment indispensable for the proper teaching of ancient history, in which he was engaged in preparing a text-book.

The PRESIDENT announced that, in accordance with the provisions of the new By-Law adopted at the October meeting, the Council had unanimously appointed Mr. Charles C. Smith "to be immediately responsible for the proper editing of all volumes, whether of Collections or Proceedings, the supervision of the Society's copyists, and the adequate preparation of all material intended for the press"; and that Mr. Smith entered on the discharge of his duties at the beginning of the present month.

Mr. Augustus T. Perkins was appointed to prepare a memoir of the late Thomas C. Amory; Mr. John C. Ropes, a memoir of Francis W. Palfrey; Mr. Justin Winsor, a me-

moir of Charles Deane ; and Mr. Henry W. Torrey, a memoir of James Walker, in place of the Rev. Henry W. Foote, to whom the duty had been previously assigned, but who had died without completing the memoir.

Dr. ELLIS then said : —

It may be remembered that at a meeting of this Society in January, 1881, while that voluminous work "The Memorial History of Boston" was about being completed, the editor of it, our associate, Mr. Winsor, brought to our notice the syllabus of another proposed work, of his own conception, similar in its general plan, but more extended and elaborate, to be called "Narrative and Critical History of America." He asked the appointment of a committee of this Society for consultation and co-operation with him ; which was assented to. The eighth (the concluding) volume of the work has recently appeared from the press. So intelligently and discreetly was the scheme of it devised, that it has been followed till crowned with complete success. As is known, the plan required the assignment of historical subjects, to be treated in it as monographs, to assistant contributors, each of them to deal with his subject in a chapter composed of two parts, — one of them a digested historical narration ; the other, a bibliographical summary, comprehensive and critical, of the sources, the authorities, from which the narrative was drawn, with comments upon them. Of course the eight solid volumes which compose the work, with abounding illustrative materials, — charts, maps, views, plans, portraits, fac-similes, autographs, etc., — could not deal fully, still less exhaustively, with each and every subject that would fitly enter into the history of America for four centuries. Only a selection of matters of more emphatic import was practicable. Whatever in the manuscripts of contributors — all free to express their own views and conclusions, in treating their respective themes — might involve reference to, or trespass upon, another's province, or any conflict of statements, or would leave *lacunæ* to be supplied, would require the trained skill of the editor, for adjustment, revision, and, if need were, for mediation. Thirty-nine contributors, besides the editor, have thus combined their work. As one of those contributors, I must be reserved and judicial in my comments, and will confine myself strictly to

the editor's part, which is in the main the most laborious, fullest, and best part in it. Besides that his own chapters are the most numerous and varied in their range, his hand, his judgment, his versatility and fulness of knowledge add much to the illustration and enrichment of all the other contents.

Though he is present, I must permit myself to say here — what I have said during the last nine years elsewhere, often, and to many competent persons, no one of whom dissented from my remark — that “Mr. Winsor is the only living man among us who could have done the work he has accomplished.” Nor does it reduce that commendation to say that he has done his work so well because he was privileged to enter upon and master the fruits of the labors of others. Most instructively and with abounding reference and gratitude has he recognized his predecessors. That long succession of industrious and faithful pioneers in history, many of them of frugal means; and that select company of cultivated and generous individuals who have devoted their fortunes to the collection and preservation of rare and costly relics, — have together recorded and gathered every syllable of our historic lore. Those treasures well deserve their expressive title of “Americana.” Mr. Winsor has a confidential intimacy with them. As the guardian for so many years of our two largest and richest libraries, he has also been privileged in acquiring his bibliographical skill and knowledge. For some of those years he has had as a neighbor, for daily intimacy, that wise, helpful, and most genial of all sympathizing spirits, — himself a library within a library, — our late lamented associate, Dr. Deane. As the inception of this work was noticed in our records, it is proper that mention should be made of its completion.

I have received from Mrs. Charles Deane a note accompanying a volume which, she writes, her late husband left to this Society, “wishing it to be kept by it forever.” The volume is a thin quarto, richly bound, and contains a collection of cuttings of newspaper communications, dating from 1850, engraved portraits, manuscript letters, etc., relating to the exposure, by Dr. Deane, of a fraud by which an engraved portrait of Dr. Franklin, slightly tricked with, had been made to serve as a veritable portrait of Roger Williams, — a much desired, but as yet undiscovered treasure. An authentic engraving of Dr. Franklin, sometimes artistically decorated, for

an effigies of the famous Rhode Island worthy, had appeared in several publications, and had been exhibited in Providence as from an original portrait of him,—deceiving many intelligent persons, biographers and historians! The patience, thoroughness, and full demonstration which Dr. Deane brought to the exposure of the trick were highly characteristic of him. There is also a vein of fun and humor, not often indulged by him in his treatment of grave themes. We shall highly value the book for itself and for the giver.

Some of you may remember that about eight years ago Dr. Deane exposed here, by the actual tokens, a similar fraudulent substitute of an engraving by which a portrait of that rakish poet, Charles Churchill, by the skilful manipulation of Paul Revere, and the swinging of a powder-horn from the shoulder, had been made to do duty for our Indian fighter and Cæsarean recounter of his own exploits, Col. Benjamin Church.

But I have here a piece of honest work of Paul Revere, stamped by him with his own name. It is an ancient silver sugar-tongs. It was committed to me by the late Mrs. Ellen M. Gifford, of New Haven, to be deposited in our Cabinet.

Mr. CHARLES C. SMITH stated that some years ago Mr. Deane had undertaken to prepare a communication on Cabot's Map of the World, now in the National Library in Paris, which he had not been able to complete, and that, in conformity with a request of Mr. Deane in his last illness, his notes had been sent to Mr. Smith to be completed and communicated to the Society at some future period.

Dr. WILLIAM EVERETT then read a paper on

The Last Royal Veto.

The following paper does not pretend to bring forward any new facts or theories in history, but rather to comment on the singular way in which history is written,—one historian copying another in his omissions and mistakes, when dealing with the most interesting subjects.

The veto of a chief magistrate—the refusal of assent to a bill which has passed all the other stages of legislation—is always an interesting event in political history. The veto of

a President of the United States, or a Governor of one of them, invariably creates much interesting speculation. Sometimes, on these occasions, reference will be made to the fact that a bill is never vetoed by the Sovereign of England; and perhaps the exaggerated language of Mr. Bagehot may be resorted to,—that “Queen Victoria must sign her own death-warrant, if both houses present it for her signature.”

Yet, beyond all doubt, our own ancestors adopted the veto provision first in their State Constitution, from which it was copied in that of 1787, because they believed that the English executive had such a power, and that indeed to an extent beyond what they were willing to trust their elective governors; for American vetoes are merely suspensive,—bills may be passed over them,—but a royal veto in England is final. In the “Defence of the American Constitutions,” by John Adams, he finds fault with the Americans for not imitating the English Constitution in respect to the negative given to the executive power; but a suspensive veto certainly belonged to his own State Constitution before 1787.

And indeed, there is no difference of opinion among the earlier text-writers, like Blackstone and De Lolme, that the King does possess this absolute negative, as expressed in the terms “*Le roy s’avisera*” (The King will consider of it); they speak of it as an actual power. Later writers, however, invariably tell us that the power is entirely disused; and Bagehot goes the length I have stated,—that it must be considered as extinct. What has taken its place,—if, as some say, the sovereign cannot affect legislation at all, or if he can do so only by influence, or, finally, if there are established but indirect methods by the agency of the ministry,—I shall not at this moment discuss. My present purpose is to dwell on the most recent or least remote use of the sovereign’s negative, as it has been recorded and treated, whether as belonging to the actual history or the theoretic Constitution of England.

In what reign was the sovereign’s assent last refused to a bill passed by the Lords and the Commons? The answer is, in that of Queen Anne, on the 11–22 of March, 1707–8, when the Act for Settling the Militia of Scotland was met by “*La royne s’avisera*.” There is not the least mystery about this fact; it is recorded in the Journals of the House of Lords, which are easily accessible, and has been mentioned in several books which

are still handier; and yet I find, on consulting about thirty prominent historians and text-writers, *not a single one* who does not either omit all allusion to the fact or commit errors about it more or less serious; always excepting Lord Macaulay, who alludes to it correctly but very casually. Now, this seems to me a very remarkable comment on the way history is written. That the entire body of accessible historians and text-writers who have handled this period or this subject should either not know or omit or misstate the latest exercise of this very interesting power, is enough to make the most indifferent and lazy investigate for himself anything that strikes him in his historical or legal study.

Taking it first from the historians' point of view,—the chief chroniclers who handle the reign of Queen Anne have absolutely nothing to say about this event. They tell us that the Parliament of 1707–8 (the first so-called of Great Britain) was engaged in perfecting the union of England and Scotland; they tell us how, on the 11th of February, Harley and St. John were ousted from the government by the Whigs, supported by the Duchess of Marlborough; they tell us how intelligence was received that the Old Pretender, James Edward, set sail from France, in charge of Admiral Fourbin, on the 8th of March, and that Sir George Byng prepared to intercept his descent on Scotland; they tell us that the Queen came in person to the House of Lords on the 11th of March, announced that she had received news of this expedition, and asked for the assistance of Parliament, which was promptly voted; they do not tell us that, before making this announcement and appeal, she gave her assent to various acts, public and private, and then, for the last time, as it turned out, refused it to the one named. The historians who thus wholly omit or ignore the event are Luttrell the Diarist, Burnet (who was present), Tindal, Smollett, McPherson, Mortimer, Belsham, Hallam, Keightley, Lord Stanhope, King, Burton, Morris, Knight, Lecky, Green, and Wyon.

When we come to text-writers on the British Constitution, I find that Lord Brougham, Lord Russell, and Sir Edward Creasy say nothing whatever about the last exercise of the veto power. Neither does Blackstone; but in the note of his editor (Christian) we find the mistake of saying that it was last exercised by William III.; and this same error appears

in De Lolme (translated by Stephens), in Fischel (translated by Shee), in David Rowland, in Curtis on the United States Constitution, and in Justice Story.

Now let us see who have with somewhat greater accuracy alluded to the event. Macaulay, who has given such an interesting account of four of the vetoes of William III., says the words of refusal "have only once been heard since his reign." I can hardly doubt that if he had reached 1708 he would have told us the whole story and told it right. Hatsell, in his "Parliamentary Precedents" (second edition), records the event, and refers to the Lords' Journals; but he admits that he did not know of it when he published his first edition. He is followed by Fonblanque ("How we are Governed"), Sir Erskine May, Sir W. Anson, and Ewald. But every one of these writers says the event took place in March, 1707; ignoring the old style, which they never do in their account of other events which have a similar double dating. The date is 11-22 March, 1707-8, and however we may prefer to write the day of the month, 1708 we shall call the year in all accurate historical writing. The same inaccuracy occurs in an Australian writer, Mr. William Hearn, whose book on the British Constitution is yet the only one I have read that gives full recognition to the event and tries to analyze its cause. He points out that the sudden outbreak of Jacobite insurrection, supported from France and directed to Scotland, would naturally create a dread of establishing a militia in that part of the island, still chafing under the unpopular Act of Union, and with many of its Lords Lieutenants, who would be commanders of the militia, notoriously disaffected. But as the Act had passed both houses, the Queen's veto was the only way to arrest its perilous operation.

Mr. Hearn refers to Somerville, whose History alludes to the event, but in the most perversely incorrect way: "But while the Militia Bill was depending, the attempt of the Pretender to invade Scotland excited a general suspicion that it would be unsafe to trust the people with arms, and prevented the bill being presented for the royal assent." Just the reverse of the facts! In point of fact, the bill had been reported from Committee of the Whole on the Queen's speech on the 11th of December, 1707; went regularly through its readings without a division in the Commons, under the charge of King.

afterwards C. J. C. P. and Lord Chancellor; was reported to the Lords on the 11th of February, the day of the ministerial crisis; went through its stages, and passed on the 25th of February, also without a division or protest; and met the fate I have described.

I may add that I cannot find in Lord Campbell's "Lives of the Chancellors" of this reign a single allusion to the veto, even in that of Sir Peter King, the patron of the Militia Bill; while on the other hand, a Mr. P. F. Aikin, who wrote in 1842 a comparison of the United States and English Constitutions, says the King's veto power has not been exercised since the Revolution, that is, since 1688; whereas King William refused his assent to at least six bills in the course of the years 1692-1696. But such a blunder is exceptional indeed; every historian who has dealt with the reign of William III. has had something to say about his refusing his assent to several bills. Two only have discussed the matter with any attempt at penetration,—these are McPherson and Macaulay, the insidious enemy and the thoroughgoing friend.

Almost every writer of history copies the statements of his predecessor to an extent hardly to be imagined by those who have not compared a variety of authors. It is particularly noticeable that when a new historian has possessed himself of some freshly discovered correspondence or memoirs throwing new light on some special theme, while making the very most of his new material, he does not hesitate to copy what has been said a score of times, in the parts on which his new treasure throws no light, without suspecting that there also one should look deeper. I have little doubt, for instance, that if a new history of William III.'s reign were written, the author, finding some of the King's vetoes alluded to by all his predecessors, but only Macaulay and McPherson mentioning as many as four, and discussing these four with much acumen, would conclude that there were these four and no more. Yet the Lords' Journals show that the king vetoed at least two more, whose titles would indicate that they were private bills.

I have not found that the Stuarts refused their assent to any bills; but I have not searched the entire Lords' Journals of their eighty-five years. Charles II., not liking the last bill passed by his last Parliament, just before its dissolution con-

trived to have the Clerk of the Crown steal it, before the Clerk of the Parliaments had formally presented it to him. Sir Simonds D'Ewes is quoted as saying—I have not yet verified the quotation—that Queen Elizabeth at the end of one session rejected as many bills as she passed. Of the earlier Tudors I can say nothing; the earliest veto I have found mentioned is in a quotation from Tyrwhitt in Ellis's "Original Letters" (1st series, vol. i. p. 10), where he says King Edward IV. replied, "*Le roy s'avisera*" to a petition that the robbing of prayer-books and other church articles should be felony. And, as this entry shows, the Plantagenet monarchs were not likely to veto the measures of the two houses, because acts were then framed by some of the King's advisers, in compliance with petitions from the houses, and really emanated from the King; and to this day it is conceived in England that legislation, in the overwhelming majority of cases, should proceed from the ministry, who are in theory supposed to represent the crown, and not from the opposition, although now the ministry are in fact the spokesmen of a popular majority.

Since 1708 the veto has never been used. Queen Anne soon after got the majority of Parliament in accord with her personal predilections. The first two Georges were shrewd enough—for they were anything but the fools that it is fashionable to call them—to put themselves completely in the hands of a parliamentary majority. George III. and his two sons, though they frequently attempted and not seldom succeeded in influencing and even in reversing legislation, found easier ways of doing so than by refusing their assent to bills passed by both houses. But the sturdy Tories, with ex-Lord Chancellor Eldon at their head, really hoped George IV. might veto the Catholic Emancipation Bill of 1829; and he probably would have, if he had not stood in mortal terror of the Duke of Wellington.

Since then,—a period of sixty years,—scarcely any one has talked about the royal veto.¹ But there is not the least

¹ Our associate, Mr. Bugbee, has pointed out to me a valuable note in Bryce's "American Commonwealth," vol. i. p. 70, in which he quotes from a Canadian writer, Mr. Tod, on a threatened exercise of the veto by Queen Victoria in 1858. Mr. Bryce—or Mr. Tod—gives the usual date of Queen Anne's veto as 1707; but he ascribes to William III. *five* vetoes.

absurdity in supposing its use, and even its salutary use. The ordinary theory is that if the sovereign refused assent to a bill, the ministers would be in danger of impeachment by the Commons and condemnation by the Lords for having advised such action by their master; that they would at once resign, and that no other ministry could be found bold enough to take their places unless the crown withdrew its refusal. But this entirely overlooks the very possible case of a non-partisan measure, forced through both houses by some independent interest, which should divide both ministry and opposition, so to speak, across and not lengthwise. In this case a large minority might be backed by a very strong outside opinion, which the Commons had failed adequately to represent; and yet a ministry which on all party questions held a working majority, might greatly hesitate to dissolve the Parliament. In such a case the royal veto might very well cause a too confident majority to pause and see if they really were sustained by popular opinion. There is also the perfectly possible case analogous to Queen Anne's veto, — that between the passing and the signing of an act some striking occurrence should make it expedient to check its operation.

I have already remarked that the royal veto is final; there is nothing corresponding to the American practice of passing a bill over a President's or Governor's veto by increased majorities. Further, there is nothing analogous to our fixing a limit of time for the executive to make up his mind. Apparently, the king may take till the end of the session to decide whether to give or withhold his assent. King William did so with at least two of the bills he vetoed. In that case, if the Parliament were merely prorogued, apparently he might give his assent in the next session; if it were dissolved, the unsigned bill would seem to be waste paper.

It should be said in this connection that there is much misapprehension as to the actual power of the Executive Government in England. It is regarded too much as a mere committee of Parliament. The sovereign personally exercises but little power, though she may exercise much influence; but the ministry itself, in its work outside the parliamentary sphere, has powers not always apprehended. A very instructive instance occurred on the question of Purchase in the Army. The first idea of Mr. Gladstone's government was to

abolish purchase by Act of Parliament; his bill was lost, and shortly after he announced that Purchase in the Army only existed by virtue of a royal warrant, and that he had advised her Majesty to cancel that warrant, — which was accordingly done. There was much grumbling, but the law was correct. All Parliament could do was to vote some form of compensation to officers who had paid for their commissions and had lost the right to sell them.

It should also be noted that another institution, once considered the bulwark of English liberty against a despotic sovereign, has fallen into equal disuse, — the right of impeachment by the Commons before the Lords. At the time of Queen Anne's last veto, nothing was more popular. The Tories had impeached four Whigs in 1700; Sacheverell was impeached and convicted in 1709; the Whigs retaliated on Harley and his friends in 1715; Lord Chancellor Macclesfield was impeached and convicted of corruption in 1725. But in every one of these cases, except the last, there was obviously a mad party spirit at work; and the process was dropped for over sixty years, to be revived against Warren Hastings in 1788, and against Lord Melville in 1806. The first of these trials was protracted beyond all reason; the second was speedily ended by the admirable conduct, as presiding judge, of Lord Erskine. But in both cases the culprits were acquitted; and no later official, whoever his enemies, personal or political, has ever been impeached.

It may be freely granted that the royal veto of England is of little more than antiquarian interest even for subjects of that crown, and for Americans seems like a mere detail of history. Yet nothing can be more foolish than for us to neglect the constitutional experience of other nations; and I have thought it well worth noting how little account historians had taken of the actual decadence of so remarkable a prerogative.

Mr. WILLIAM S. APPLETON presented Part First of the Second Year of the "*Annuaire de la Faculté des Lettres de Lyon*," and spoke as follows: —

I have much pleasure in placing in the Library of the Society a copy of Fascicule I., or Part First, of the Second Year of the "*Annuaire de la Faculté des Lettres de Lyon*." It

contains an article, of ninety pages, with the title, "Nantucket, étude sur les diverses sortes de propriétés primitives." I will not undertake to criticise the matter, but only say that it was written with great care and numerous mention of authorities, including the third volume of the Collections of this Society. I wish, however, to say a few words concerning the author, the late M. Émile Belot. He "was a great lover of American things, and had, during more than five years, delivered lectures on the history of the United States. He had gathered a great number of documents, and was near publishing his studies, when death summoned him away. It would have been certainly a very valuable book." His biographer says: "Il est infiniment regrettable, que Belot n'ait pu même en ébaucher les grandes lignes. Nous possédons et nous espérons publier en partie les notes de cinq années de cours. Mais les pensées maîtresses disparaissent néanmoins quelque peu au milieu de ces recherches de détail. Ces fragments donneront cependant une idée de l'importance et de la profondeur de ce beau travail." The article on Nantucket seems to be a chapter from the work which M. Belot had in view. He was Professor of History in the University of Lyons, an officer of the Legion of Honor, Corresponding Member of the Institute, and a few months before his death was admitted to the Académie des Sciences, Belles-Lettres et Arts de Lyon, before which he delivered his "Discours de Réception," Dec. 22, 1885, taking as subject "Benjamin Franklin, Chef de la Démocratie Américaine." I have a copy of this interesting address, which I purpose to place among the Frankliniana in the Boston Public Library. M. Belot naturally recalls the fact that Franklin himself was an Associate of the same Academy of Lyons.

I wish to add a few words on the great literary interest in this country felt in Europe and especially in France, — an interest which surprised me when there, but which may be more appreciated here than I have supposed. I certainly had no idea how many volumes have appeared of late years in France directly relating in some way to the United States. They range downward from such important works as that of M. Gourd on the "Colonial Charters and the Constitutions of the United States," and that of M. Doniol on the "History of the Participation of France in the Establishment of the

United States"; include of course a volume of travels by nearly every visiting Frenchman, studies of our politics or social life, — as "*La Démocratie autoritaire aux États Unis. Le Général André Jackson*," by Gigot, or "*L'Aristocratie en Amérique*," by Gaillardet, — novels with an American girl for heroine, — as "*Nelly MacEdwards. Mœurs Américaines*," by De Woelmont, — and end perhaps with such a ridiculous little work as "*Histoires Américaines*," by Jehan Soudan, an attempt at a sort of French Mark Twain, in which I at least could find nothing amusing. It may be that all or nearly all of each year's production in France is known in this country. I sincerely hope so; for the volumes ought to be in our libraries, if not for their matter, yet because of the subjects.

Mr. A. C. GOODELL spoke briefly of the derivation of the veto power in the United States from the English precedents.

Prof. A. B. HART said that Mr. E. C. Mason, one of the Instructors in Political Economy in Harvard University, had prepared a "*History of the Veto Power in the United States*," which was nearly ready for publication.